



General Assembly

January Session, 2003

Amendment

LCO No. 7250

SB0108807250SR0

Offered by:

SEN. GUNTHER, 21st Dist.

To: Senate Bill No. 1088

File No. 171

Cal. No. 134

"AN ACT CONCERNING MEDICAL MALPRACTICE INSURANCE RATES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 38a-33 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 [Whenever all parties to a claim for malpractice agree, they may
6 request] Upon request of a party to a claim for malpractice, such claim
7 shall be submitted to a panel, selected by the Insurance Commissioner
8 or his designee, [to select a panel] that shall be composed of two
9 physicians and one attorney from the Malpractice Screening Panel
10 established under section 38a-32. None of the members of the panel,
11 insofar as possible, shall be from the same community of practice of
12 either the physician involved or the attorneys for the parties. At least
13 one of the physicians shall be from the same specialty as the physician
14 against whom such claim is filed and the attorney shall have

15 experience in the trial of personal injury cases. The attorney so
16 designated shall act as chairman."